

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

MARBLE BRIDGE FUNDING GROUP,
INC.,

CASE NOS. 5:12-cv-01839 EJD;
5:12-cv-02729 EJD

Plaintiff(s),

v.

NATURES OWN PHARMACY, LLC, et.
al.,

Defendant(s).

**ORDER CONTINUING CASE
MANAGEMENT CONFERENCES**

MARBLE BRIDGE FUNDING GROUP,
INC.,

Plaintiff(s),

v.

EULER HERMES AMERICAN CREDIT
INDEMNITY COMPANY,,

Defendant(s).


Having reviewed the parties' Joint Case Management Conference Statement filed in case number 5:12-cv-02729 (see Docket Item No. 61) and considering the parties' desire to attempt resolution of these actions through Early Neutral Evaluation ("ENE"), the court finds that a Case Management Conference is premature at this time. Accordingly, the Case Management Conferences

1 scheduled for February 22, 2013, are each CONTINUED to **May 3, 2013, at 10:00 a.m.** subject to
2 the following orders:

- 3 1. The parties shall participate in an ENE on or before March 1, 2013, unless the
4 deadline is otherwise extended by the court upon a showing of good cause;
- 5 2. If the ENE proves unsuccessful, Euler Hermes American Credit Indemnity Company
6 shall promptly thereafter request entry of default from the clerk against Nature's
7 Own, Inc. pursuant to Federal Rule of Civil Procedure 55(a) in case number 12-2729;
- 8 3. Any party requesting a stay of these actions due to the pendency of criminal
9 proceedings shall file and serve a noticed motion requesting such relief or present an
10 appropriate stipulation for consideration by the court;
- 11 4. Any disputes concerning discovery or disclosure, including the apparent dispute
12 related to the transfer of documents to criminal defense counsel, are referred to the
13 assigned magistrate judge who is available to hear motions to compel;
- 14 5. Unless both actions are settled or stayed, the parties shall file an updated Joint Case
15 Management Statement *in both cases* **on or before April 26, 2013**, which provides,
16 *inter alia*, a proposed schedule for each case. The parties are notified that the court
17 will issue scheduling orders at the continued Case Management Conferences should
18 they proceed.

19 **IT IS SO ORDERED.**

20
21 Dated: February 20, 2013


EDWARD J. DAVILA
United States District Judge